

STATE OF MAINE  
WORKERS' COMPENSATION BOARD

ABUSE INVESTIGATION UNIT  
AIU#

STATE OF MAINE  
WORKERS' COMPENSATION BOARD

vs.

LUMBER INSURANCE COMPANIES  
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CONSENT DECREE

NOW COME the parties and agree as follows, that:

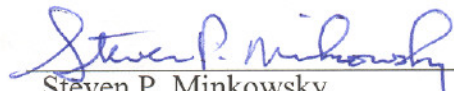
1. Wayne Mills alleged a January 24, 1997 work-related injury while employed at Moulton Lumber Company.
2. Wayne Mills gave notice of incapacity from work for his alleged injury on September 2, 1997.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Mr. Mills' notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Mr. Mills was compensated for his alleged period of incapacity on October 27, 1997.
6. The payment to Mr. Mills was made fifty-five (55) days after his first day of incapacity.
7. Pursuant to 39-A M.R.S.A. §205(3) a penalty of \$550.00 is warranted.
8. Nothing in this agreement shall be construed as a waiver of Mr. Mills' right to seek any weekly compensation benefits that he is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$550.00, payable to Mr. Mills.


Dated: Sept 30, 1999

  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board

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CONSENT DECREE

NOW COME the parties and agree as follows, that:

1. Albert Lemon alleged a May 30, 1998 work-related injury while employed at Resource Trading Company.
2. Albert Lemon gave notice of incapacity from work for his alleged injury on May 30, 1998.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Mr. Lemons' notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Mr. Albert was not compensated for his alleged period of incapacity as of July 16, 1999.
6. The payment to Mr. Albert is over one (1) year late.
7. Pursuant to 39-A M.R.S.A. §205(3) the maximum penalty of \$1,500.00 is warranted.
8. Nothing in this agreement shall be construed as a waiver of Mr. Lemon's right to seek any weekly compensation benefits that he is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$1,500.00, payable to Mr. Lemon.

Dated: Sept 30, 1999

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Dionne  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board



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CONSENT DECREE

NOW COME the parties and agree as follows, that:

1. Timothy McCrater alleged a March 5, 1998 work-related injury while employed at VIP, Inc.
2. Timothy McCrater gave notice of incapacity from work for his alleged injury on March 5, 1998.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Mr. McCrater's notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Mr. McCrater was compensated for his alleged period of incapacity on September 9, 1999.
6. The payment to Mr. McCrater was over one (1) year late.
7. Pursuant to 39-A M.R.S.A. §205(3) the maximum penalty of \$1,500.00 is warranted.
8. Nothing in this agreement shall be construed as a waiver of Mr. McCrater's right to seek any weekly compensation benefits that he is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$1,500.00, payable to Mr. McCrater.

Dated: Sept 30, 1999

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Dionne  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board

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CONSENT DECREE

NOW COME the parties and agree as follows, that:

1. Patricia Brochu alleged a May 27, 1998 work-related injury while employed at Thompsons of Maine.
2. Patricia Brochu gave notice of incapacity from work for her alleged injury on May 27, 1998.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Ms. Brochu's notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Ms. Brochu's claim was controverted forty-eight (48) days after her notice of a claim for lost time.
6. Pursuant to 39-A M.R.S.A. §205(3) a penalty of \$200.00 is warranted.
7. Nothing in this agreement shall be construed as a waiver of Ms. Brochu's right to seek any weekly compensation benefits that she is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$200.00, payable to Ms. Brochu.

Dated: SEP 30, 1998

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Monni  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board



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CONSENT DECREE

NOW COME the parties and agree as follows, that:

1. Jason Harrington alleged a February 17, 1998 work-related injury while employed at VIP, Inc.
2. Jason Harrington gave notice of incapacity from work for his alleged injury on July 22, 1998.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Mr. Harrington's notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Mr. Harrington's claim was controverted two hundred seventy-nine (279) days after his notice of a claim for incapacity.
6. Pursuant to 39-A M.R.S.A. §205(3) the maximum penalty of \$1,500.00 is warranted.
7. Nothing in this agreement shall be construed as a waiver of Mr. Harrington's right to seek any weekly compensation benefits that he is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$1,500.00, payable to Mr. Harrington.

Dated: Sept 30, 1999

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Dionne  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board

STATE OF MAINE

ABUSE INVESTIGATION UNIT

STATE OF MAINE  
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vs.  
LUMBER INSURANCE COMPANIES  
\*\*\*\*\*  
CONSENT DECREE

NOW COME the parties and agree as follows, that:

1. Shawn Donovan alleged a March 18, 1997 work-related injury while employed at Great Brook Lumber.
2. Shawn Donovan gave notice of incapacity from work for his alleged injury on March 18, 1997.
3. No Memorandum of Payment or Notice of Controversy was filed within 14 days of Mr. Donovan's notice of a claim for lost time.
4. Failure to file a Notice of Controversy or Memorandum of Payment was a violation of Workers' Compensation Board Rule Ch. 1 §1, and 39-A M.R.S.A. §205.
5. Mr. Donovan was compensated for his alleged period of incapacity on June 12, 1997.
6. The payment to Mr. Donovan was made eighty-five days after his first day of incapacity.
7. Pursuant to 39-A M.R.S.A. §205(3) the maximum penalty of \$1,500.00 is warranted.
8. Nothing in this agreement shall be construed as a waiver of Mr. Donovan's right to seek any weekly compensation benefits that he is or may be entitled to.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §205(3), Lumber Insurance Companies shall be assessed a penalty of \$1,500.00, payable to Mr. Donovan.

Dated: Sept 30, 1997

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Dionne  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board



STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
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\*\*\*\*\*  
CONSENT DECREE

NOW COME the parties and agree as follows:

(1) That the following forms were requested from Lumber Insurance Companies for purposes of an audit pursuant to 39-A M.R.S.A. §153(9):

<u>EMPLOYEE</u>	<u>DATE OF INJURY</u>	<u>FORMS NOT FILED</u>
Matthew Caider	2-24-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Earl Deojay	11-17-97	WCB-11, Statement of Compensation Paid (Interim Report)
Shawn Donovan	3-18-97	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Guy Edwards	2-10-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Paul Libby	2-18-98	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
William Massey	1-5-98	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Daniel Meserve	8-26-96	WCB-1, Employer's First Report of Occupational Injury or Disease

Wayne Mills	1-24-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-11, Statement of Compensation Paid (Interim Report)
Walter Moody	6-30-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to show No Lost Time)
Clarence Mullens	12-8-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid
Dameon Raymond	2-26-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid
Harvey Robbins	3-13-96	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Ted Smith	2-20-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement Amended WCB-3, Memorandum of Payment (to reflect "voluntary payment" instead of "accepted") WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Christopher Spaulding	3-12-96	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Caleb Stevens	11-5-96	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Dwayne Taylor	11-17-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Harvey Thombs	11-18-96	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)



Earle Ayotte	11-9-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Tia Bouchard	4-16-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Stephanie Bower	7-14-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Erin Brassley	5-4-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Thomas Briere	8-21-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Patricia Brochu	5-27-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependents and Filing Status Statement WCB-3, Memorandum of Payment (Mandatory Payment)
Richard Brown	4-7-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment (14-day violation payment) WCB-11, Statement of Compensation Paid (Final Report)
Fotaq Cala	6-16-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Kelly Caton	8-13-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Brenda Cilley	5-31-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid
Christopher Coburn	12-2-96	Amended WCB-4, Discontinuance or Modification of Compensation to reflect correction of underpayment. Amended WCB-11, Statement of Compensation Paid (Final Report to reflect additional medical bills paid after filing of original Final Report and additional indemnity paid to correct underpayment)
Roger Colby	5-20-98	WCB-1, Employer's First Report of Occupational Injury or Disease

Gregory Coulter	10-8-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Gilbert Coy	6-27-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Paul Dehetre	4-8-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Corey Field	4-27-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Scott Gardner	3-20-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Brandon Grace	4-23-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Tawni Guerette-Tibbetts	7-22-98	WCB-2, Wage Statement WCB-2, Schedule of Dependent(s) and Filing Status Statement WCB-11, Statement of Compensation Paid
Douglas Hallowell, Jr.	7-8-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Sandra Harper	7-27-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Claton Hartill	10-10-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Jason Harrington	2-17-98	WCB-2A, Schedule of Dependent(s) and Filing Status Statement
Michael Hazelton	2-7-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Christopher Landry	7-18-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Todd LeClerc	5-17-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)



Albert Lemon	5-30-98	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-1, Statement of Compensation Paid (Final Report)
Melvin Libby	10-28-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Lee Lowell	5-6-98	WCB-11, Statement of Compensation Paid (Interim Report)
Shane Marvin	4-17-96	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Timothy McCrater	3-5-98	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Amy McLeod	7-26-98	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
William Moore	10-2-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Gail Murphy	8-1-96	WCB-1, Employer's First Report of Occupational Injury or Disease
Huy Ngyen	10-23-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Robert Noyes	5-30-98	Amended WCB-4, Discontinuance or Modification of Compensation (to reflect changes made to correct underpayment) WCB-11, Statement of Compensation Paid
Brian Perkins	3-3-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Michael Pinson	1-29-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Randy Ramsey	3-16-98	WCB-1, Employer's First Report of Occupational Injury or Disease

Alec Reynolds	1-28-98	WCB-1, Employer's First Report of Occupational Injury or Disease WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Laurie Ridley	9-30-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Brian Saunders	10-26-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Michael Saverese	11-29-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Nathaniel Sewell	8-11-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Kenneth Smith	8-12-96	WCB-1, Employer's First Report of Occupational Injury or Disease
Richard Smith	1-31-96	WCB-1, Employer's First Report of Occupational Injury or Disease
David Springer	12-15-97	WCB-1, Employer's First Report of Occupational Injury or Disease
Matt Taber	1-20-98	WCB-1, Employer's First Report of Occupational Injury or Disease
William Thorne	2-23-98	WCB-1, Employer's First Report of Occupational Injury or Disease
Kim Thurlow	6-17-96	WCB-1, Employer's First Report of Occupational Injury or Disease
Raymond Tutt	4-30-98	Amended WCB-8 (Amounts Paid) WCB-11, Statement of Compensation Paid (Final Report)
Thomas Wade	8-6-97	Amended WCB-1, Employer's First Report of Occupational Injury or Disease (to reflect the RTW date)
Theodore Watson	10-14-97	WCB-2, Wage Statement WCB-2A, Schedule of Dependent(s) and Filing Status Statement WCB-3, Memorandum of Payment WCB-4, Discontinuance or Modification of Compensation WCB-11, Statement of Compensation Paid (Final Report)
Ryan Willette	2-20-98	WCB-1, Employer's First Report of Occupational Injury or Disease

(2) That the forms listed above were not timely filed.

(3) That the failure to file the foregoing forms represents 159 separate violations of 39-A M.R.S.A. §357(1) and §360(1)(B).



(4) That nothing in this agreement shall be construed as a waiver of the Workers' Compensation Board's right to seek additional penalties pursuant to 39-A M.R.S.A. §359(2) or 39-A M.R.S.A. §360(2) or both sections.

WHEREFORE, pursuant to 39-A M.R.S.A. §360(1), a civil forfeiture of \$100.00 shall be assessed for each of the foregoing 159 violations, for a total penalty of \$15,900.00

Dated: NOV 22, 1999

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November, 29, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 29, 1999  
Augusta, Maine

Paul R. Dionne  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board

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CONSENT DECREE

NOW COME the parties and agree that First Reports of Injury and Notices of Controversy were not filed for the following 7 cases where there were claims for medical benefits:

<u>EMPLOYEE</u>	<u>DATE OF INJURY</u>	<u>DATE OF SERVICE</u>	<u>EMPLOYEE</u>	<u>DATE OF INJURY</u>	<u>DATE OF SERVICE</u>
Jeremy Lucas	unknown	11-25-97	Victor Hustus	unknown	8-24-98
Dean Hazelton	unknown	6-3-98	Melvin Libby	unknown	10-28-97
William Thorne	unknown	3-17-98	Wayne Mills	unknown	12-30-96
Bryan Jillette	unknown	7-22-98			

The parties agree that the failure to file the foregoing forms represents 14 separate violations of 39-A M.R.S.A. §360(1), Workers' Compensation Board Rule Ch. 1 Sec. 7, Ch. 5 Section 7.2 and Ch. 8 Sec.13.

**WHEREFORE**, pursuant to 39-A M.R.S.A. §360(1), a civil forfeiture of \$100.00 shall be assessed for each of the foregoing 14 violations, for a total penalty of \$1,400.00.

Dated: 20130224

Robert E. Kloiber  
Robert E. Kloiber Representative for  
Lumber Insurance Companies

Dated: November 17, 1999

Steven P. Minkowsky  
Steven P. Minkowsky  
Deputy Director of Benefits Administration  
For the Workers' Compensation Board

Dated: Nov. 17, 1999  
Augusta, Maine

Paul R. Meunier  
Supervisor of the Abuse Investigation Unit  
For the Workers' Compensation Board